

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Ina Steiner, David Steiner, and Steiner
Associates, LLC,

Plaintiffs,

vs.

eBay, Inc., *et al.*,

Defendants.

Civil Action No. 1:21-cv-11181-PBS

**DEFENDANT DAVID HARVILLE’S ANSWER TO
FIRST AMENDED COMPLAINT**

Defendant David Harville (hereinafter, “Harville”), by and through his undersigned counsel, hereby answers the correspondingly enumerated paragraphs of the *First Amended Complaint* (Document No. 176) dated March 1, 2023 (hereinafter, the “Amended Complaint”) in the above-captioned action as follows:

INTRODUCTION

1. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

2. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

3. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

4. Harville denies the allegations in this paragraph. Further answering, Harville states that the public record reflects that his title at eBay, Inc. (hereinafter, “eBay”) was Director of Global Resiliency.

5. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

6. Harville denies the allegations in this paragraph of the Amended Complaint. Further answering, Harville admits that he travelled to Natick, Massachusetts.

7. Harville denies the allegations in this paragraph of the Amended Complaint. Further answering, Harville states that, at the direction of his superiors at eBay, he surveilled plaintiffs Ina Steiner (hereinafter, “I. Steiner”) and David Steiner (hereinafter, “D. Steiner”) (hereinafter collectively, the “Steiners”).

8. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

9. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

Further answering, Harville never intended to inflict panic and fear on the Steiners.

10. Harville denies the allegations in this paragraph to the extent they may pertain to him.

11. Harville is not responding to the allegations in this paragraph of the Amended Complaint because the criminal proceedings in the criminal case referred to therein are a matter of public record and the documents listed on the docket sheet speak for themselves.

12. Harville is not responding to the allegations in this paragraph of the Amended Complaint because the criminal proceedings in the criminal case referred to therein are a matter of public record and the documents listed on the docket sheet speak for themselves.

13. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment at eBay and at its direction.

14. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

15. Harville is not responding to this paragraph of the Amended Complaint because it does not allege facts, but rather states legal conclusions.

16. Harville is not responding to this paragraph of the Amended Complaint because it does not allege facts, but rather states legal conclusions.

17. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

18. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

JURISDICTION AND VENUE

19. Harville admits the Court has subject matter jurisdiction over the claims asserted in the Amended Complaint.

20. Harville admits that the Court has supplemental jurisdiction over the state-law claims alleged in the Amended Complaint.

21. Harville admits that the Court has personal jurisdiction over him in the above-captioned action.

22. Harville does not oppose venue in this Honorable Court.

THE PARTIES

23. As of the date of this answer to the Amended Complaint, Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that the Steiners own a home in Natick, Massachusetts.

24. As of the date of this answer to the Amended Complaint, Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

25. Harville states that at all pertinent times his office was located on the premises of eBay's office in San Jose, California.

26. As of the date of this answer to the Amended Complaint, Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

27. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

28. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

29. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

30. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that he reported to defendant James Baugh (hereinafter, “Baugh”) whose title at eBay was Senior Director of Safety & Security in charge of the company’s Global Security and Resiliency business.

31. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

32. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Jim Baugh reflects the sentence imposed.

33. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Brian Gilbert reflects the sentence imposed.

34. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Stephanie Popp reflects the sentence imposed.

35. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Stephanie Stockwell reflects the sentence imposed.

36. As of this date of this answer to the Amended Amended Complaint, Harville admits that he is serving a prison sentence after pleading guilty to Conspiracy to Commit Stalking Through Interstate Travel and Through Facilities of Interstate Commerce; Stalking Through Interstate Travel; and Stalking Through Facilities of Interstate Commerce.

37. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Philip Cooke reflects the sentence imposed.

38. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that the criminal case docket for defendant Veronica Zea reflects the sentence imposed.

39. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

40. Harville admits the first, second and fourth sentences in this paragraph of the Amended Complaint and denies the third sentence in this paragraph of the Amended Complaint.

41. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

THE FACTS

42. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

43. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

44. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

45. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

46. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

47. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

48. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

49. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

50. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

51. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

52. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

53. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

54. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

55. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

56. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

57. Harville denies knowledge of what “Fidomaster” was during the relevant time period as alleged in this paragraph of the Amended Complaint, and therefore, Harville denies the allegations in this paragraph as they may pertain to him.

58. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

59. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

60. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

61. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

62. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

63. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

64. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

65. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

66. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

67. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

68. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

69. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

70. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

71. Harville denies the allegations in this paragraph as they may pertain to him.

72. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

73. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

74. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

75. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

76. Harville denies the allegations in this paragraph as they may pertain to him.

77. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

78. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

79. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

80. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

81. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

82. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

83. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

84. Harville denies the allegations in this paragraph as they may pertain to him. Further answering, Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

85. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

86. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

87. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

88. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

89. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

90. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

91. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

92. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

93. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

94. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

95. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

96. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

97. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

98. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

99. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that at all pertinent times he was acting within the scope of his employment with eBay.

100. Harville admits to engaging in the stalking activity to which he pled guilty before the United States District Court for the District of Massachusetts under docket number 1:20-cr-10263-PBS. Further answering, Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him, and neither admit nor denies the allegations in this paragraph of the Amended Complaint that summarize publicly available change of plea

proceedings in which Harville did not participate concerning other defendants named in the Amended Complaint.

101. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

102. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

103. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

104. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

105. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

106. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

107. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

108. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

109. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

110. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

111. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

112. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits that he acted at the direction of defendant eBay, Inc. as relayed through defendant Jim Baugh.

113. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

114. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

115. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

116. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

117. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

118. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

119. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

120. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

121. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

122. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

123. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

124. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

125. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

126. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

127. Harville admits that he travelled to Boston at defendant Baugh's direction but denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

128. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

129. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

130. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

131. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

132. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

133. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

134. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

135. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

136. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

137. Harville admits to discussing whether to install a GPS device on the Steiners' vehicle. Further answering, Harville denies the remainder of the allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

138. Harville denies the allegations in this paragraph of the Amended Complaint. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

139. Harville admits that he used a scanning application to monitor publicly available first responder activity. Further answering, Harville admits that he did not attend the RedHat DevCon event in Boston, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

140. Harville admits to not attending the DevCon event in Boston. Further answering, Harville admits that he did not attend the RedHat DevCon event in Boston, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

141. Harville admits that the idea of installing a GPS device on the Steiner's vehicle was contemplated for tracking purposes but denies the remaining part of this paragraph of the Amended Complaint as it may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

142. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

143. Harville admits to travelling to Massachusetts on or around August 15, 2019 within the scope of his employment with eBay, using eBay's funds and for its benefit. Harville further admits to renting a vehicle while in Massachusetts and staying at the Ritz Carlton in Boston. Defendants Baugh, Harville and Zea, all acting traveled to Massachusetts. Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him.

144. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

145. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

146. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

147. Harville admits to driving to the Steiner's residence on or about August 15, 2019, but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

148. Harville admits to approaching the Steiners' residence but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

149. Harville admits to approaching the Steiners' residence but denies attempting to physically install a GPS device on their vehicle. Further answering, Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

150. Harville admits to approaching the Steiners' residence but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

151. Harville admits to purchasing tools within the scope of his employment at eBay, Inc., but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

152. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

153. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

154. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

155. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

156. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

157. Harville admits to being alerted by Defendant Zea to stop following the Steiners' vehicle but denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

158. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

159. Harville admits to joking with defendant Baugh about items that could be left on the Steiners' porch. Further answering, Harville denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

160. Defendant admits to following the Steiners and approaching the Steiners' property to determine if a GPS device could be attached to their car. Further answering, Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

161. Harville denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

162. Harville denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

163. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

164. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

165. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

166. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

167. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Further answering, Harville denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

168. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Further answering, Harville denies knowledge or information sufficient to form a belief as to the truth of the remaining allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

169. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in the first sentence of this paragraph of the Amended Complaint, and therefore, denies such allegations. Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him.

170. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states he was informed by his supervisor,

Defendant Baugh, that their superiors at Defendant eBay had instructed Defendant Baugh to find and destroy.

171. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate.

172. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

173. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

174. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

175. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

176. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that while acting within the scope of his employment at eBay he travelled from California to Natick, Massachusetts.

177. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

178. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for

themselves, concerning other defendants in which Harville did not participate. Further answering, Harville admits he did not attend a conference with Defendant Zea in Boston, Massachusetts.

179. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate.

180. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

181. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

182. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that he acted within the scope of his employment at Defendant eBay, for its benefit and by at its direction when travelling to Massachusetts and staying at the Ritz Carlton Hotel in Boston, Massachusetts.

183. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

184. Harville admits that he acted within the scope of his employment at Defendant eBay, for its benefit and at its direction, when he observed the Steiners' car from outside of their garage. Further answering, Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him.

185. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate.

186. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

187. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

188. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville admits that he acted within the scope of his employment at Defendant eBay, for its benefit and at its direction, by discussing with Defendant Baugh about entering the Steiners' garage (which he did not do).

189. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

190. Harville admits the allegations in this paragraph of the Amended Complaint as they may pertain to him.

191. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

192. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegation in this paragraph of the Amended Complaint, and therefore, denies such allegations.

193. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

194. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

195. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

196. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate.

197. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

198. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

199. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

200. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

201. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

202. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

203. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

204. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

205. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

206. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

207. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

208. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

209. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

210. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

211. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

212. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

213. Harville admits the allegations in this paragraph of the Amended Complaint. Further answering, Harville denies his behavior was unlawful.

214. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

215. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

216. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

217. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

218. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville admits returning to California.

219. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

220. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

221. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

222. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

223. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the

truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

224. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

225. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

226. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

227. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the other Defendants, and therefore, denies such allegations.

228. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

229. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

230. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

231. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

232. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint concerning the Steiners, and therefore, denies such allegations.

233. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

234. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

235. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

236. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

237. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

238. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

239. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

240. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

241. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

242. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

243. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

244. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

245. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

246. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

247. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

248. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

249. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

250. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

251. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him.

252. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

253. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

254. Harville neither admits nor denies the allegations in this paragraph of the Amended Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville is not

responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

255. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him.

256. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations.

257. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

258. Harville denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

259. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

260. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

261. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

262. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

263. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

264. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

265. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

266. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

267. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him, and states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

268. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

269. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

270. Harville admits to joking with Baugh but denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

271. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

272. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

273. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

274. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

275. Harville admits to receiving a clip from the movie Old School from defendant Baugh but denies knowledge or information sufficient to form a belief as to the truth of the allegations in remainder of this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

276. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

277. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

278. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

279. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

280. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

281. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

282. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

283. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

284. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

285. Harville admits to receiving WhatsApp messages from defendant Baugh. Further answering, Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

286. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

287. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

288. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

289. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

290. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

291. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

292. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

293. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

294. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

295. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

296. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

297. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

298. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

299. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

300. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

301. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

302. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

303. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

304. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

305. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Harville also denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

306. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

307. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such

allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

308. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

309. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

310. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

311. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

312. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

313. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

314. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

315. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

316. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

317. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

318. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

319. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves,

concerning other defendants in which Harville did not participate. Harville denies the allegations in this paragraph of the Complaint as they may pertain to him.

320. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

321. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

322. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

323. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville denies the allegations in this paragraph of the Complaint as they may pertain to him.

324. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

325. Harville admits to having past military experience, but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

326. Harville admits to having past military experience but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

327. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

328. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

329. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

330. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

331. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

332. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

333. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

334. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

335. Harville admits to considering the attachment of a GPS device to the Steiners' car. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

336. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

337. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

338. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

339. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

340. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

341. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

342. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

343. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

344. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

345. Harville denies this paragraph of the Amended Complaint. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

346. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

347. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

348. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville denies the allegations in this paragraph of the Complaint as they may pertain to him.

349. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

350. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

351. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

352. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

353. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

354. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

355. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

356. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

357. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

358. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

359. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it summarizes publicly available change of plea proceedings, which speak for themselves, concerning other defendants in which Harville did not participate. Harville denies the allegations in this paragraph of the Complaint as they may pertain to him.

360. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

361. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

362. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

363. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

364. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

365. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

366. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

367. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

368. Harville admits that content on his phone was deleted but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions

369. Harville admits to being interviewed by eBay's legal department, but is not responding to the remaining allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

370. Harville admits to being interviewed by eBay's legal department, but is not responding to the remaining allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

371. Harville denies the allegations in this paragraph of the Amended Complaint because they are vague. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

372. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

373. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

374. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

375. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

376. Harville admits to being placed on leave by defendant eBay, Inc., but is not responding to the remaining allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

377. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

378. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

379. Harville admits to being terminated from his employment by defendant eBay, Inc., but is not responding to the remaining allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

380. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

381. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

382. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

383. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

384. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

385. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

386. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

387. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

388. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

389. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

390. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

391. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

392. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

393. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

394. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

395. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

396. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

397. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

398. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

399. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

400. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

401. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

402. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

403. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

404. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

405. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT I: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(All Defendants)**

406. Harville repeats and realleges his answers set forth in Paragraphs 1 through 405 above and incorporates them by reference herein.

407. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

408. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

409. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

410. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

411. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

412. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

413. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

414. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

415. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

416. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

417. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

418. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

COUNT II: STALKING
(All Defendants)

419. Harville repeats and realleges his answers set forth in Paragraphs 1 through 418 above and incorporates them by reference herein.

420. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

421. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

422. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

423. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

424. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

425. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

426. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

427. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

428. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

429. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

430. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT III: NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(All Defendants)**

431. Harville repeats and realleges his answers set forth in Paragraphs 1 through 430 above and incorporates them by reference herein.

432. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

433. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

434. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

435. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

436. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

437. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

438. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT IV: NEGLIGENCE
(All Defendants)**

439. Harville repeats and realleges his answers set forth in Paragraphs 1 through 438 above and incorporates them by reference herein.

440. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

441. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

442. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

443. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

444. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT V: NEGLIGENT HIRING
(Defendant eBay)**

445. Harville repeats and realleges his answers set forth in Paragraphs 1 through 444 above and incorporates them by reference herein.

446. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

447. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

448. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

449. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

450. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

451. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

452. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

453. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

COUNT VI: NEGLIGENT SUPERVISION
(Defendants eBay, PFC, Wenig, Jones, and Krystek)

454. Harville repeats and realleges his answers set forth in Paragraphs 1 through 453 above and incorporates them by reference herein.

455. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it is a legal statement.

456. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it is a legal statement.

457. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it summarizes publicly available court proceedings.

458. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

459. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

460. Harville denies the allegation in this paragraph of the Amended Complaint. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

461. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

462. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

463. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

464. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

465. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

466. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

467. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

468. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

469. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

470. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

471. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT VII: NEGLIGENT RETENTION
(Defendants eBay and PFC)**

472. Harville repeats and realleges his answers set forth in Paragraphs 1 through 471 above and incorporates them by reference herein.

473. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it is a legal statement.

474. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

475. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

476. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

477. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

478. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

479. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

480. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

481. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

482. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT VIII: ASSAULT
(All Defendants)**

483. Harville repeats and realleges his answers set forth in Paragraphs 1 through 482 above and incorporates them by reference herein.

484. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it is a legal statement.

485. Harville neither admits nor denies the allegations in this paragraph of the Complaint because it is a legal statement.

486. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

487. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

488. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

489. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

490. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

491. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT IX: VIOLATION OF TITLE II, Ch. 12, § 11I
(MASSACHUSETTS CIVIL RIGHTS ACT VIOLATION)
(All Defendants)**

492. Harville repeats and realleges his answers set forth in Paragraphs 1 through 491 above and incorporates them by reference herein.

493. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

494. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

495. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

496. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

497. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

498. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT X: DEFAMATION
(All Defendants)**

499. Harville repeats and realleges his answers set forth in Paragraphs 1 through 498 above and incorporates them by reference herein.

500. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

501. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

502. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

503. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

504. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

505. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

506. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

507. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

508. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

509. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

510. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

511. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

512. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

513. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

514. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

515. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

516. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

517. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

518. Harville denies the allegation in this paragraph of the Amended Complaint as it may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

519. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

520. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

521. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

522. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT XI: TRESPASS (PHYSICAL AND TRESPASS TO CHATTELS)
(All Defendants)**

523. Harville repeats and realleges his answers set forth in Paragraphs 1 through 522 above and incorporates them by reference herein.

524. Harville admits to approaching the Steiner's property but denies the remainder of the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

525. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

526. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

527. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

528. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

529. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

530. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

531. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

COUNT XII: FALSE IMPRISONMENT

532. Harville repeats and realleges his answers set forth in Paragraphs 1 through 531 above and incorporates them by reference herein.

533. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

534. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

535. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

536. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

537. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

538. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

539. Harville denies the allegation in this paragraph of the Amended Complaint it may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

540. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

541. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

542. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

543. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

544. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT XIII: CIVIL CONSPIRACY
(All Defendants)**

545. Harville repeats and realleges his answers set forth in Paragraphs 1 through 544 above and incorporates them by reference herein.

546. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

547. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

548. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

549. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

550. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

551. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

552. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

553. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

554. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

555. Harville denies the allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

**COUNT XIV: RATIFICATION
(Defendant eBay)**

556. Harville repeats and realleges his answers set forth in Paragraphs 1 through 555 above and incorporates them by reference herein.

557. Harville admits that he was an employee of defendant eBay, but denies the remaining allegations in this paragraph of the Amended Complaint as they may pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

558. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

559. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

560. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

561. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

562. Harville denies knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph of the Amended Complaint, and therefore, denies such allegations. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

563. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all

pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

564. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

565. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

566. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

567. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

568. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

569. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

570. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

571. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

572. Harville is not responding to the allegations in this paragraph of the Amended Complaint because they do not pertain to him. Further answering, Harville states that at all pertinent times he was acting within the scope of his employment at eBay and pursuant to its directions.

DEMAND FOR A JURY TRIAL

Harville hereby demands a trial by jury on all issues so triable.

HARVILLE'S AFFIRMATIVE DEFENSES

First Affirmative Defense

The Amended Complaint fails to state a claim against Harville upon which relief may be granted because the allegations constitute an improper group pleading, which fails to place him on

notice as to what specific conduct and damages are as attributed to him, and when and how such conduct occurred.

Second Affirmative Defense

The Amended Complaint fails to state a claim against Harville for intentional infliction of emotional distress upon which relief may be granted because the Amended Complaint does not sufficiently allege that Harville's conduct satisfies the elements of the cause of action.

Third Affirmative Defense

The Amended Complaint fails to state a claim against Harville for negligent infliction of emotional distress upon which relief may be granted because the Amended Complaint does not sufficiently allege that Harville's conduct satisfies the elements of the cause of action.

Fourth Affirmative Defense

The Amended Complaint fails to state a claim against Harville for stalking upon which relief may be granted because stalking is not a civil cause of action independent from intentional infliction of emotional distress. Furthermore, California Civil Code 1708.7 is inapplicable because all events attributable to Harville as alleged in the Amended Complaint occurred within the Commonwealth of Massachusetts.

Fifth Affirmative Defense

The Amended Complaint fails to state a claim against Harville under the *Massachusetts Civil Rights Act* upon which relief may be granted because, among other things, it does not show that he interfered with Plaintiffs' exercise of a protected right, and that the interference was accomplished through threats, intimidation, or coercion by him.

Sixth Affirmative Defense

The Amended Complaint fails to state a claim against Harville for defamation upon which relief may be granted because, among other things, it does not show that he published a false and defamatory statement concerning Plaintiffs.

Seventh Affirmative Defense

The Amended Complaint fails to state a claim against Harville for trespassing upon which relief may be granted because, among other things, it does not show that members of the public are restricted from visiting Plaintiff's place of business.

Eighth Affirmative Defense

The Amended Complaint fails to state a claim against Harville for false imprisonment upon which relief may be granted because, among other things, it does not allege that Harville unlawfully restrained Plaintiffs' movements.

Ninth Affirmative Defense

The Amended Complaint fails to state a claim against Harville for civil conspiracy upon which relief may be granted because, among other things, the Amended Complaint concedes that Harville was acting within the scope of his employment at eBay and at its direction, and the damages the Plaintiffs allege they suffered did not result from the power exercised by Harville with other eBay employees.

Tenth Affirmative Defense

The Amended Complaint fails to state a claim against Harville for negligence upon which relief may be granted because the Amended Complaint does not sufficiently allege that Harville's conduct satisfies the elements of the cause of action.

Eleventh Affirmative Defense

The Amended Complaint fails to state a claim against Harville for assault upon which relief may be granted because the Amended Complaint does not sufficiently allege that Harville's conduct satisfies the elements of the cause of action.

Twelfth Affirmative Defense

At all pertinent times, Harville was acting at the direction of his superiors at eBay, Inc., and therefore, any damages suffered by Plaintiffs should be attributed to eBay, Inc.

Thirteenth Affirmative Defense

Harville reserves the right to raise all additional defenses that may become available to him during the pendency of the above-captioned action.

WHEREFORE, defendant David Harville respectfully requests that this Honorable Court enter judgment in his favor as to Counts I through XIV of the Amended Complaint and grant him such other and further relief as this Court deems just and proper.

Respectfully submitted,

DEFENDANT DAVID HARVILLE

By his attorneys,

Dated: April 21, 2023

/s/ Daniel K. Gelb
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CERTIFICATE OF SERVICE

The undersigned counsel certifies that on April 21, 2023 this document was electronically filed with the Clerk of Court for the United States District Court for the District of Massachusetts using the CM/ECF system, which will send a notice of electronic filing (NEF) to all registered participants in the above-captioned action.

/s/ Daniel K. Gelb
Daniel K. Gelb, Esquire